

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

HOWARD JACKSON,

Case No. 19-CV-1256 (PJS/HB)

Plaintiff,

v.

ORDER

ANDREW SAUL, Commissioner of
Social Security, and U.S. DEPARTMENT
OF TREASURY,

Defendants.

Howard Jackson, pro se.

David W. Fuller, UNITED STATES ATTORNEY'S OFFICE, for
defendants.

On July 22, 2019, plaintiff Howard Jackson filed a motion for default judgment. ECF No. 11. Magistrate Judge Hildy Bowbeer issued a Report and Recommendation ("R&R") recommending that the Court deny Jackson's motion. ECF No. 14. This matter is before the Court on Jackson's objections to the R&R. ECF No. 15. The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Based on that review, the Court adopts the R&R.

Only one matter merits comment. Judge Bowbeer notes in the R&R that "Jackson has not provided evidence that the summons and complaint have yet been served in

this matter in the manner prescribed by Fed. R. Civ. P. 4(i)." ECF No. 14 at 1. It appears that, *after* the R&R was issued, Jackson provided the Court with such evidence. *See* ECF No. 16. But defendants still have until September 9, 2019, to timely respond to Jackson's complaint. *See id.* Accordingly, Jackson is not entitled to a default judgment.

ORDER

Based on all of the files, records, and proceedings herein, the Court ADOPTS the R&R [ECF No. 14]. Accordingly, IT IS HEREBY ORDERED THAT plaintiff's motion for default judgment [ECF No. 11] is DENIED.

Dated: August 29, 2019

s/Patrick J. Schiltz

Patrick J. Schiltz
United States District Judge